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**FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****RECEIVED  
CENTRAL FAX CENTER****JAN 24 2005****TO: United States Patent and Trademark Office**

Attn: Examiner Kathleen J. Prunner

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*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on January 24, 2005 to the above-identified facsimile number.*

Bridget Murray (Signature)

**FROM: Bridget Murray** (Typed or printed name of person signing Certificate)

Fax No. 513-626-1355

Phone No. 513-626-0575

**Applicant Information:**

Applicants: Gruenbacher et al.

Serial No.: 10/089,351

Filing Date: 03/27/2002

Conf. No.: 1392

Docket No.: 8278

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

1. Transmittal for Response ;
2. Response/Amendment (9 pages);

Number of pages, including this page: 11

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JAN 24 2005

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a RESPONSE/AMENDMENT for the patent application:

Application No. : 10/089,351  
Applicant(s) : Dana Paul Gruenbacher et al.  
Filed : 03/27/2002  
Title : Semi-Enclosed Applicator Having a Temperature Changing Element  
TC/A.U. : 3751  
Examiner : Kathleen J. Prunner  
Conf. No. : 1392  
Docket No. : 8278  
Customer No. : 27752

1. ☐ No additional fees (claims fees or extension fees) are known to be required.  
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 20	MINUS	** 20	= 0	x \$ 50 =	\$
INDEP.	* 01	MINUS	*** 03	= 0	x \$200 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$360 =	\$
					TOTAL	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☐ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.

4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.

a. ☒ Any patent application processing fees under 37 CFR §1.16.

b. ☒ Any patent application processing fees under 37 CFR §1.17.

5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

THE PROCTER & GAMBLE COMPANY

By Bridget Murray  
Bridget Murray  
Registration No. 52,555  
(513) 626-0575

January 24, 2005

Customer No. 27752

JAN 24 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: : 10/089,351  
Applicants : Gruenbacher, et al.  
Filed : March 27, 2002  
Title : A SEMI-ENCLOSED APPLICATOR  
HAVING A TEMPERATURE  
CHANGING ELEMENT  
TC/A.U. : 3751  
Examiner : K. J. Prunner  
Conf. No. : 1392  
Docket No. : 8278  
Customer No. : 27752

**AMENDMENT AFTER 1<sup>ST</sup> OFFICE ACTION UNDER 37 CFR §1.111(c)**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Dear Sir:

**INTRODUCTORY REMARKS**

In response to the Final Office Action of July 21, 2004, please amend the above-identified application as follows and consider the following remarks and reconsider the application.

Please amend the above-identified application as follows:

*Amendments to the Specification* begin on page 2 of this paper.

*Amendments to the Claims* begin on page 3 of this paper.

*Remarks* begin on page 6 of this paper.